

PRACTICE PREFERENCES
JUDGE GREGORY G. GROGER

CIRCUIT CIVIL SECTION B
FORECLOSURE SECTIONS J4, J8

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**CASE MANAGEMENT PROCEDURES AND COMPLIANCE WITH
FLORIDA SUPREME COURT ADMINISTRATIVE ORDER AOSC20-23, AMENDMENT 13**

ALL PARTIES, WHETHER REPRESENTED BY COUNSEL OR UNREPRESENTED, MUST BE FAMILIAR WITH THE REQUIREMENTS OF FLORIDA SUPREME COURT ADMINISTRATIVE ORDER AOSC20-23, AMENDMENT 13. ([Click here for link to AOSC20-23, Amendment 13](#)).

The Supreme Court's Order requires the chief judges of each judicial circuit to issue administrative orders requiring trial judges in civil divisions to enter case management orders. The trial judges have deadlines in which they must enter these case management orders. Case managements orders are NOT discretionary, but mandatory.

The Chief Judge of the Sixth Judicial Circuit has entered the required administrative orders. They are Sixth Judicial Circuit Administrative Order 2021-012 and 2021-013. All parties, whether represented by counsel or unrepresented, must be familiar with these local administrative orders. ([Click here for link to AO2021-012 and AO2021-013](#)). Special attention should be paid to the following provisions:

- (1) Cases previously designated as "Complex" shall be governed by Rule 1.201. All non-jury cases are designated as a "Streamlined Civil Case," and all other cases will be designated as "General Civil Case."**
- (2) All parties are directed to confer for the purpose of generating an Agreed Mandatory Civil Case Management Order. A form for this order is attached to AO2021-012. ([Click here for Fill-in Civil CMC Order](#)). For cases filed prior to April 30, 2021, the Case Management Order must be entered by December 3, 2021.**
- (3) All attorneys MUST enter their service emails in JAWS as an Associated Party. Pasco JAWS is not configured to link with the e-portal filing system. Items entered through JAWS will not be automatically served on all parties linked to the case through the e-portal. Items entered and uploaded through JAWS will only be served upon those email addresses that are listed as an Associated Party.**

In order to comply with the deadlines mandated by the Supreme Court, the court has employed the following procedures.

For cases filed prior to April 30, 2021:

- 1. Counsel shall meet and confer regarding entry of the Agreed Mandatory Civil Case Management Order. A stipulation or cover letter asserting that there is an agreement to the entry of the Order must be either uploaded to JAWS or be submitted to the judicial assistant by email to (crcive2@jud6.org). If there is no agreement after conferring with counsel, a case management conference must be held prior to September 30, 2021.**

2. For any case in which there has been neither an Agreed Mandatory Civil Case Management Order entered nor a Case Management Conference held prior to September 30, 2021, the Court will enter a Case Management Order without input from the parties.
3. For those cases that have been set for trial and a trial order has been entered setting forth the various deadlines for conclusion of discovery, disclosure of witnesses, and filing of motions, the parties may submit an Agreed Case Management Order indicating that a trial order has been issued and case management will be governed by that order.

For cases filed on or after April 30, 2021:

1. The Florida Supreme Court's Administrative Order AOSC20-23, Amendment 13 REQUIRES the trial court to issue a Case Management Order within thirty days of the date the last defendant is served. Sixth Circuit Administrative Order 2021-017 requires that Plaintiffs MUST IMMEDIATELY notify the trial court of when the last defendant is served. A form notice is attached to the administrative order. ([Click here for a link to AO2021-017 and the fill-in form](#)).
2. Counsel shall meet and confer regarding entry of the Agreed Mandatory Civil Case Management Order. A stipulation or cover letter asserting that there is an agreement to the entry of the Order may be uploaded to JAWS; however, the Court's preference is that the stipulation and Agreed Mandatory Civil Case Management Order be submitted to the judicial assistant (crcive2@jud6.org) within thirty (30) days of service of the complaint upon the last defendant. If there is no agreement after conferring with counsel, a case management conference must be scheduled no later than two (2) days prior to the expiration of the thirty (30) day period.
3. For any case in which there has not been entry of an agreed upon order or a case management conference held, the Court will on its own enter a case management order two (2) days prior to the expiration of the thirty (30) day period.

IMPORTANT ADMINISTRATIVE PROCEDURES

1. All submissions of case management orders must be either uploaded to JAWS or emailed to the judicial assistant at crcive2@jud6.org. DO NOT MAIL HARD COPIES!
2. The case management orders that are submitted by email must be in Word format. Orders that are uploaded to JAWS must be in .pdf format
3. Executed orders will be entered electronically and distributed through JAWS. To receive a conformed copy, you must enter a service email address as an Associated Party in JAWS.
4. Paper copies will only be issued to unrepresented parties who make a specific request.

EX PARTE MOTIONS AND ORDERS, EMERGENCY MOTIONS

Orders on Ex Parte motions and emergency motions are made at the discretion of the Court. The materials should be submitted by e-mail to CrCivE2@jud6.org.

The materials should include the following:

1. Cover letter with opposing counsel copied.
2. Copy of the Motion. All originals should be filed with the Clerk. The motion should indicate whether opposing counsel has been contacted, and whether there is any objection to the motion. Emergency motions must include the reason why the matter requires the Court's immediate attention, and cannot be set for hearing.
3. Proposed Order in Microsoft Word format.

In accordance with the Florida Supreme Court's Administrative Orders related to the COVID-19 pandemic, the judge and judicial assistant are working remotely as much as possible. As a result, motions that are submitted by US Mail or other carrier will not receive attention as quickly as those submitted by e-mail.

The following is a list of items that the Court would consider ex parte:

- Motion for Substitution of Counsel
- Motion to Withdraw (with written consent of the client)
- Motion for Extension of Time
- Motion to Appoint Guardian ad Litem / Attorney ad Litem
- Motion to Re-Schedule Foreclosure Sale
- Motion for Writ of Possession
- Motion for Voluntary Dismissal
- Motion for Rehearing / Reconsideration
- Motion to Vacate Final Judgment
- Motion to Disqualify
- Motion to Return Original Documents
- Motion for Default
- Agreed Upon or Stipulated Orders
- Motions to Compel Discovery (pursuant to Administrative Order 2020-011 PA/PI-CIR)
- Motions to be decided upon written submissions (pursuant to Administrative Order 2020-012 PA/PI-CIR)

ALL MOTIONS SEEKING ENTRY OF FINAL JUDGMENT MUST BE SET FOR HEARING.

SEE PROCEDURES FOR ENTRY OF FINAL JUDGMENT ON UNCONTESTED MATTERS

SPECIAL SET HEARINGS

1. Requests for special set hearing should be made by email to Judge Groger's Judicial Assistant, Gia Reda, at CrCivE2@jud6.org.
2. The email should provide the following information:
 - a. The name of the motion to be set;
 - b. Verification that the motion has already been filed;
 - c. Whether the motion requires an evidentiary hearing;
 - d. Verification that counsel has made reasonable efforts to confer with opposing counsel to attempt to resolve the matter without a hearing. Please see Sixth Judicial Circuit Administrative Order 2015-52, RE: Professionalism Committee and Standards of Professional Courtesy;
 - e. The amount of time needed for the motion;
 - f. All opposing counsel and unrepresented parties MUST be copied on the hearing request email.
 - g. A copy of the filed motion (in .pdf format) and a proposed order (in Microsoft Word format) should be attached to the email.
3. For all motions requiring an evidentiary hearing, motions for summary judgments, or any other motion seeking the entry of judgment, the Judicial Assistant will provide available hearing dates and times.
4. For all other motions,
 - a. Judge Groger will review the motion and determine whether the motion can be ruled upon without a hearing.
 - b. Counsel should be familiar with Sixth Judicial Circuit Administrative Order 2020-012_PA/PI-CIR, RE: MOTIONS DECIDED UPON WRITTEN SUBMISSIONS – CIVIL DIVISION. Any written response should be provided to the Court by email within fifteen (15) days.
 - c. If a hearing is necessary, the Judicial Assistant will provide available hearing dates and times.
5. Confirmation of scheduled hearing:
 - a. The Judicial Assistant will place the hearing on the court's calendar once there is confirmation that all necessary parties have agreed upon a hearing date/time, or if there is no response from opposing counsel, a certification that at least three attempts were made to coordinate a date and time without any response.
 - b. Counsel for the moving party is responsible for issuing and serving a notice of hearing.
6. HEARINGS
 - a. The Court endeavors to be fully prepared for hearings so that counsel will have ample opportunity to expound upon arguments made in the motion or memorandum of law. The following are not requirements but only the Court's

preferences that will allow the Court to be fully prepared for the hearing.

Following these preferences will allow counsel to devote the full hearing time to make arguments to the key issues without spending time on extraneous matters.

- b. At least seven (7) days prior to the hearing, counsel for the moving party should provide to the Court and opposing counsel:
 - i. The motion with all exhibits and attachments;
 - ii. Any response to the motion;
 - iii. If applicable, the pleading or discovery item that is the subject of the motion; and
 - iv. Legal authority that supports the substance of the motion. Do not include legal authority for string cites or points of law that are not reasonably contested.
- c. At least two (2) business days prior to the hearing, opposing counsel should provide to the Court and movant's counsel:
 - i. Any response if not previously included in the movant's submission;
 - ii. Any exhibits; and
 - iii. Legal authority that supports the substance of the motion. Do not include legal authority for string cites or points of law that are not reasonably contested.

The Court prefers the submissions of counsel to be contained within a single .pdf file.

HEARING APPEARANCES

Until further notice, all hearings will be conducted telephonically or by Zoom.

Hearings that are 15 minutes or less will be conducted telephonically through the Court's hearing line, unless otherwise indicated by the judicial assistant. The party who issues the Notice of Hearing shall indicate in the notice that the hearing is being conducted telephonically by calling the court's hearing line at 352-559-5654.

Hearings that are longer than 15 minutes will be conducted by Zoom. The judicial assistant will schedule the Zoom meeting and send a Zoom meeting invite by email to all counsel of record. This email will have all of the Zoom meeting details needed to attend the hearing. The party who issues the Notice of Hearing shall indicate in the notice that the hearing is being conducted by Zoom and include the Zoom meeting details in the notice. For evidentiary hearings, each party is responsible for ensuring that the necessary witnesses receive the Zoom meeting details and otherwise have the necessary technology, including access to a computer with a camera, speakers, microphone, and a high speed internet connection.

ZOOM HEARING REQUIREMENTS

- I. Hearings conducted by Zoom should done in the same manner as if they were conducted in person.
- II. Proper attire and decorum is required.
- III. Participants should enter the meeting approximately five minutes prior to the start time to ensure that their equipment is functioning properly. In the event of any malfunction, the participant should enter the meeting through the provided phone number included in the meeting details.
- IV. All participants who are not speaking should mute their microphones.
- V. All materials to be used during the hearing should be provided to all parties in advance of the hearing. (See practice requirements for Special Set Hearings).

PROCEDURES FOR INTRODUCTION OF EVIDENCE DURING A ZOOM HEARING

(The procedures apply for evidentiary hearings and nonjury trials.)

- I. All items of evidence must be electronically submitted to the Court and counsel for all parties in advance of the hearing.
- II. Evidence must be submitted in a searchable .pdf format in a reduced file size that still maintains the clarity and readability of the exhibit. This includes documents, photographs, and summaries.
- III. Video evidence:
 - a. Any video evidence should be submitted on a DVD or CD. Thumbdrives are not permitted.
 - b. The only acceptable file formats are .mp4, .wmv, .mov, or .avi format.
 - c. The DVD or CD should be free of any autorun or .exe files.
 - d. The Court does not have the ability to install any proprietary viewer software that is common for various video surveillance platforms. Any video evidence that requires the installation of a proprietary viewer must be converted to one of the above formats.
 - e. It is also strongly encouraged that screenshots or photo captures be utilized and submitted to the court as photograph.
- IV. Any information that is confidential pursuant the Florida Rules of Judicial Administration or otherwise not subject to public disclosure pursuant to Florida Statute Chapter 119 should be redacted.
- V. Composite exhibits should be combined into a single .pdf file.
- VI. Each exhibit must be saved in the following format: [Plaintiff/Defendant].Exhibit [A, B, C, etc.].pdf [.mp4, .wmv, .mov, .avi]
- VII. Prior arrangements should be made with the Court and opposing counsel for any exhibits that cannot be submitted in .pdf format such as physical evidence that because of its unique character cannot be photographed.
- VIII. Rulings on evidence:
 - a. The Court will consider submission of evidence in the same manner as is required in an in person hearing.
 - b. At the conclusion of the hearing, the Court will prepare an order indicating which exhibits were received into evidence. This order will be electronically filed with the exhibits attached or with the exhibits filed separately.

UNIFORM MOTION CALENDAR (UMC)

Judge Groger does not have a uniform motion calendar, but see separate procedures for motions seeking entry of final judgment or nonjury trials on uncontested matters.

FORECLOSURE AND OTHER NONJURY TRIALS:

To set a foreclosure case for non-jury trial, a Notice of Readiness for Non-Jury Trial should be filed and submitted to the court by E-MAIL. The Judicial Assistant will set the case on the trial calendar and issue the Trial Order, which will be upload to the case docket. The party seeking to set the case for trial will be responsible for serving the trial order upon all parties, including pro se or defaulted parties.

The Notice of Readiness for Non-Jury Trial should indicate whether the matter is contested or uncontested; the anticipated duration of the trial, and the most current service list. A matter is considered “uncontested” if all defendants have either defaulted, consented, or do not oppose entry of judgment. Any objections to whether the matter is uncontested or to the stated duration of the trial should be made and submitted to the Court within seven (7) days of the filing of the Notice. A Case Management Conference will be scheduled to resolve any objections to the Notice. If no objections are received, the Judicial Assistant will set the matter for trial. A Pretrial Conference will be scheduled for contested trials but not for uncontested trials. If the scheduled trial date creates a conflict, the party should file the appropriate motion after conferring with opposing counsel and request a hearing date from the Judicial Assistant. The Judicial Assistant will not unilaterally reschedule a trial date.

For other civil, non-jury trials (excluding foreclosure trials), the party filing the Notice of Readiness for Non-Jury Trial should indicate the anticipated duration of the trial. A case management conference will be set for the purpose of specially setting the trial date. Non-jury trials will be conducted in the judge’s hearing room, which has limited space for parties and exhibits. Please advise the court at the case management conference if a courtroom will be needed so that it can be taken into consideration in setting the trial date and necessary accommodations can be made.

CONTESTED FORECLOSURE TRIAL DATES

2021

Trial Date 9:00am or 1:30pm	PreTrial Conference 10:30am
01/07/2021	11/30/2020
02/04/2021	01/04/2021
03/04/2021	02/01/2021
04/01/2021	03/01/2021
04/29/2021	03/29/2021
06/03/2021	04/26/2021
07/08/2021	06/01/2021
08/05/2021	07/06/2021
09/09/2021	08/02/2021
10/06/2021	09/08/2021
11/04/2021	10/04/2021
12/02/2021	11/01/2021

UNCONTESTED FORECLOSURE TRIALS AND MOTIONS FOR SUMMARY JUDGMENT

Uncontested trials and motions for summary judgment includes those matters in which all defendants have been defaulted, have consented to judgment, or are otherwise not contesting the entry of final judgment. These cases will be set for on the dates below. A party must request the judicial assistant to set a matter for hearing. A party is not permitted to unilaterally set a hearing without approval of the judicial assistant.

2021 Dates

All hearings and trials are scheduled to begin at 1:30

Please note whether the hearing is done by Zoom or telephonic. This is subject to change depending on any amendments to the Florida Supreme Court Administrative Orders related to the COVID-19 pandemic or any change to the reopening phase in Pasco County as determined by the Chief Judge of the Sixth Circuit. The notice of hearing or trial order will confirm whether the hearing is telephonic, Zoom, or in-person.

January 6 - Zoom

July 7 - Zoom

February 3 - TBD

August 4 - TBD

March 3 - Zoom

September 8 - Zoom

March 31 - TBD

October 6 - TBD

April 28 - Zoom

November 3 - Zoom

June 2 - TBD

December 1 - TBD

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JURY TRIALS

To set a case for jury trial, a Notice of Readiness for Jury Trial should be filed and submitted to the court by US Mail. Notices sent by email will not be accepted. The Notice should indicate the anticipated duration of the trial, including jury selection, and if the matter to be tried involves more than one party or if other accommodations are anticipated. Any trial that is expected to be longer than five (5) days, that involves multiple parties, or needs additional accommodations will be set for a case management conference prior to the setting of trial.

Any objections to the Notice should be filed and submitted to the Court within seven (7) days of the filing of the Notice. A Case Management Conference will be set to resolve any objections. If no objections are received, the Judicial Assistant will set the matter for trial on one of the following dates. If the scheduled date creates a conflict, the party should file the appropriate motion after conferring with opposing counsel and request a hearing date from the judicial assistant. The Judicial Assistant will not unilaterally reschedule a trial date.

2021 JURY TRIAL CALENDAR

The following are Section B trial weeks for 2021. Each trial week is a one week trial docket unless indicated.

Jury Trial Week	PreTrial Conference (9:00am)	Calendar Call (9:00am)
01/11/2021	11/30/2020	01/08/2021
02/08/2021	01/04/2021	02/08/2021
03/08/2021	02/01/2021	03/05/2021
04/05/2021 (two week docket)	03/01/2021	03/29/2021 (10:30am)
05/03/2021	03/29/2021	04/30/2021
06/07/2021	04/26/2021	06/04/2021
07/12/2021	06/01/2021	07/09/2021
08/09/2021	07/06/2021	08/06/2021
09/13/2021* (two week docket)	08/02/2021	09/10/2021
10/11/2021	09/08/2021	10/08/2021
11/08/2021**	10/04/2021	11/05/2021
12/06/2021 (two week docket)	11/01/2021	12/03/2021

* Thursday, September 16 is a court holiday.

** Thursday, November 11 is a court holiday.

2022 JURY TRIAL CALENDAR

The following are Section B trial weeks for 2022. Each trial week is a one week trial docket unless indicated.

<u>Jury Trial Week</u>	<u>PreTrial Conference (9:00am)</u>	<u>Calendar Call (9:00am)</u>
<u>01/10/2022</u>	<u>11/29/2021</u>	<u>01/07/2022</u>
<u>02/07/2022</u>	<u>01/03/2022</u>	<u>02/04/2022</u>
<u>03/07/2022</u>	<u>01/31/2022</u>	<u>03/04/2022</u>
<u>04/04/2022*</u> <u>(Two week docket)</u>	<u>02/28/2022</u>	<u>04/01/2022</u>
<u>05/09/2022</u>	<u>03/28/2022</u>	<u>05/06/2022</u>
<u>06/06/2022</u>	<u>05/02/2022</u>	<u>06/03/2022</u>
<u>07/05/2022*</u> <u>(Two week docket)</u>	<u>05/31/2022</u>	<u>06/30/2022</u>
<u>08/08/2022</u>	<u>06/27/2022</u>	<u>08/05/2022</u>
<u>09/06/2022*</u> <u>(Tuesday)</u> <u>(Two week docket)</u>	<u>08/04/2022</u>	<u>09/01/2022</u>
<u>10/10/2022</u>	<u>08/29/2022</u>	<u>10/07/2022</u>
<u>11/07/2022**</u>	<u>10/27/2022</u>	<u>11/04/2022</u>
<u>12/05/2022</u>	<u>10/31/2022</u>	<u>12/02/2022</u>

*** Nine day docket – April 15, 2022, July 4, and September 5 are court holidays.**

**** Four day docket – November 11 is a court holiday.**